

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION

AUG 17 2007

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

<b>JENNIFER STIDHAM,</b>	)
Plaintiff,	) Civil Action No. 2:07cv00028
	)
<b>v.</b>	) <b><u>ORDER</u></b>
	)
<b>JASON E. JACKSON,</b>	)
	)
<b>and</b>	)
	) By: GLEN M. WILLIAMS
<b>TOWN OF COEBURN,</b>	) SENIOR UNITED STATES DISTRICT JUDGE
<b>VIRGINIA,</b>	)
Defendants.	)

The plaintiff, Jennifer Stidham, brought this action against the defendants, the Town of Coeburn, Virginia, (the “Town”), and Jason E. Jackson, individually and in his official capacity, seeking recovery under 42 U.S.C. § 1983 based on a denial of her constitutional right to due process.

This case is currently before the court on the Town’s Motion to Dismiss, (Docket Item No. 6), (“Motion”), pursuant to Federal Rule of Civil Procedure 12(b)(6), which was filed on June 29, 2007, and the plaintiff’s Motion to Amend, (Docket Item No. 8), (“Motion to Amend”), which was filed on July 13, 2007. The case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable Pamela Meade Sargent, United States Magistrate Judge. On July 26, 2007, the Magistrate Judge submitted a report, (Docket Item No. 12), (“Report”), recommending that the Town’s Motion be granted and the plaintiff’s Motion to Amend be denied.

Objections to the Magistrate Judge's Report were timely filed by the plaintiff on August 14, 2007. (Docket Item No. 13.) Upon a review of the objections to the Report, and all other relevant filings, the court is of the opinion that the Magistrate Judge's Report should be **ACCEPTED**.

For the reasons detailed in the Magistrate Judge's Report, the defendant's Motion is hereby **GRANTED**, and the plaintiff's Motion to Amend is hereby **DENIED**. The Clerk is directed to enter this Order and send certified copies to all counsel of record.

ENTER: This 17 day of August, 2007.



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THE HONORABLE GLEN M. WILLIAMS  
SENIOR UNITED STATES DISTRICT JUDGE